

DRAFT 4/13/2009

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The Honorable Craig R. Fry
Indiana House of Representatives
P.O. Box 1066
Mishawaka, Indiana 46546-1066

Re: VIM Recycling, Incorporated Facility; 29861 Old U.S. Highway 33, Elkhart, Indiana; March 24, 2009 Letter to EPA

Dear ~~Representative~~Mr. Fry:

Thank you for your March 24, 2009 letter addressed to Administrator Jackson concerning ~~significant alleged environmental violations at~~ the VIM Recycling, Incorporated (VIM) facility located at 29861 Old U.S. Highway 33, Elkhart, Indiana. The ~~United States~~ Environmental Protection Agency, Region 5 (EPA or the Agency) is recently became aware of the ~~issues~~violations at the VIM site described in your letter and my staff EPA is currently reviewing your letter and the information contained therein in order to determine what additional measures may be taken by EPA and/or the State of Indiana at this site~~request for prompt Agency intervention in this matter.~~

~~With regard to your request and the numerous alleged violations at the VIM facility, please note that an EPA representative inspector recently visited the VIM is facility and, as you note in your letter, the Agency recently held a conference call several days ago with numerous representatives of the Indiana Department of Environmental Management (IDEM) and the Indiana Office of Attorney General (IOAG) to discuss the the environmental compliance issues at the VIM facility. These Agency actions were necessary first steps in this matter because EPA had not previously been a party to or involved with any prior to any additional response(s) by the State of Indiana and/or EPA to the potential compliance concerns at the VIM facility issues you have raise in your letter at the VIM facility. Please be assured that not only does EPA intend to continue its discussions with IDEM and IOAG of the issues at the VIM facility in this matter and the Agency, but the Agency also intends to work closely with the State of Indiana to independently gather additional information concerning the alleged violations at the VIM facility ensure that and EPA will take all necessary and appropriate actions are taken to properly protect human to ensure that public health and the environment are properly protected at or near the VIM site is facility.~~

If you have any other questions about EPA's involvement in this matter or you would like to discuss ~~the your~~ issues you raised in your letter with the VIM facility in more detail, please feel free to contact me or please have your staff contact Mr. Paul Ruesch, the EPA environmental engineer ~~assigned to for~~ the VIM facility at (312) 886-6878 or via email at ruesch.paul@epa.gov. Thank you.

Sincerely,

Margaret Guerriero
Director
Land and Chemicals Division

cc: B. Sypniewski, LCD (L-8J)

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Denise Walker, Indiana OAG

Bruce Palin, IDEM OLO

Rick Roudenbush, IDEM CRB

James Robb, IDEM OWQ

Alfred Dumaual, IDEM OAQ-{TBD}

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bcc: ~~____{TBD}~~

~~C. Newton, ARD (A-18J)~~

~~G. Czerniak, ARD (AE-17J)~~

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